

ATTORNEY DOCKET NO. 02-064CIP (ANSI01-00012)
U.S. SERIAL NO. 09/500,213
PATENT

REMARKS

Claims 1-9, 11 and 14-42 are pending in the application.

Claims 16-35 have been canceled, without prejudice.

Claims 1-9, 11, 14, 15 and 36-42 have been rejected.

Claim 1 has been amended, as set forth herein.

I. **REJECTION UNDER 35 U.S.C. § 112**

Claims 1-9, 11, 14 and 15 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. The rejection is respectfully traversed. However, Applicant has amended independent Claim 1.

Accordingly, the Applicant respectfully requests withdrawal of the § 112 rejection of Claims 1-9, 11, 14 and 15.

II. **REJECTIONS UNDER 35 U.S.C. § 102**

Claims 36, 37 and 40 were rejected under 35 U.S.C. § 102(b) as being anticipated by Willis (US 5,433,742). Claims 1-3, 11, 14, 15, 36, 37 and 39-42 were rejected under 35 U.S.C. § 102(e) as being anticipated by Champeau (US 6,208,881). The rejections are respectfully traversed.

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A cited prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. MPEP § 2131; *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). Anticipation is only shown where each and every limitation of the claimed invention is found in a single cited prior art reference. MPEP § 2131; *In re Donohue*, 766 F.2d 531, 534, 226 U.S.P.Q. 619, 621 (Fed. Cir. 1985).

The Office Action argues that Applicant's use of "electroplated" in describing the structure of the conductive link is more like a method step than a structural limitation, and therefore, the Applicant's electroplated conductive links are equivalent to Willis' and Champeau's conductive links.

Applicant respectfully disagrees with the Office Action's assessment. Applicant's Claims define the inventive conductive link in terms of its structure. This form of claim drafting meets the requirements of § 112. The Claims particularly point out and distinctly claim the product for which protection is sought. The public, and those skilled in the art, are able to fully understand the product that Applicant claims as the invention. Applicant believes that the recitation of "electroplated conductive link" sufficiently distinguishes the Claims from the prior art. Moreover, the term "electroplated" is used in an adjective sense and adequately defines a physical characteristic of the invention.

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Accordingly, the Applicant respectfully requests the Examiner withdraw the § 102(b) and § 102(e) rejections of Claims 36, 37 and 40; and Claims 1-3, 11, 14, 15, 36, 37 and 39-42, respectively.

III. REJECTIONS UNDER 35 U.S.C. § 103

Claims 1-3, 11, 36, 37 and 39-42 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Gotthardt, et al. (Us 5,016,646) in view of Willis (US 5,433,742). Claims 4-9, 14 and 38 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Gotthardt, et al. (Us 5,016,646) in view of Willis (US 5,433,742) (or as being unpatentable over Champeau). The rejections is respectfully traversed.

The main basis for these rejections appears to be the same reasons as set forth in the Office Action's rejections under § 102. Therefore, Applicant respectfully submits that for the same reasons as set forth above, the cited references, either alone or in combination, do not disclose, teach or suggest Applicant's invention.

Accordingly, the Applicant respectfully requests withdrawal of the § 103(a) rejections of Claims 1-3, 11, 36, 37 and 39-42; and Claims 4-9, 14 and 38, respectively.

IV. CONCLUSION

As a result of the foregoing, the Applicant asserts that the remaining Claims in the Application are in condition for allowance, and respectfully requests an early allowance of such Claims.

If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at rmccutcheon@davismunck.com.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Davis Munck Deposit Account No. 50-0208.

Respectfully submitted,

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